

1887-015 Chancery Causes: Sarah Ely vs. William Pennington
Lee Co.

Flanary, Skidmore

CA-Debt
T-Property

-Deed

To the Honorable John A Kelly
Judge of the Circuit Court of Lee Co
Your Oratrix Sarah Ely would
respectfully represent that at the
March term 1885 of this Honorable
Court she obtained a judgement against
one William Pennington for the sum
of \$256.32 and legal interest thereon
from the 1st day of January 1884 till
paid and \$8.72 Costs. This judgement
has been properly docketed in the
lien docket in the Clerk's office
of the County Court of Lee County, and
indexed as the law directs.

So that your Oratrix is advised the
same constitutes a lien upon any
real estate the said Pennington may
own in said County. A transcript
thereof showing the amt & date &c
will be found filed herewith as
part hereof. Marked "A"

The said Pennington is the owner of
about 80 acres of land conveyed
to him by D. S. Linton and wife
situated in this County and properly
described in their deed dated on the
the day of June 1871, a copy of
which is also filed herewith as
part hereof. The aforesaid land shown

in said deed except the 80 acre tract has been disposed of before the rendition of said judgment.

Upon this fact your cratrix has been advised her said judgment is a lien and subject to its payment. The rents and profits will not pay the same in five years as it is mostly in if not entirely in woods and unimproved.

The object of this bill therefore is to have enforced said decree, speed her upon said land. And have the same or so much thereof as may be necessary sold to pay the same an attendant cost.

The premises Consider your cratrix prays to have said William Pennington made a party to this bill and have him answer the same upon oath and upon a hearing a decree be rendered selling said land or so much thereof as may be necessary and for all other further and general relief May supra issue &c.

A. L. Pridemore
P. P.

\$ 7.44 To Aug 86
 Comm. 5.00
 col. 80
 S 50
\$ 15.00
 \$ 28.74
 \$ 1.67
 \$ 30.41

P
 Sarah Ely

pass - paid

v & Bill Ely

William Pennington

1886, Febry Bill filed Spec
 Exd & D. Trist

" March, D. Ch. Confd &
 Cause Set for hearing.

" March Decree & Cont'd

" Aug. Decree & Cont'd

" Novr. Continued

1887 Mr. Continued

" Aug. Decree final

To the Hon. J^{rs} A. Kelly Judge of the Circuit Court
of Lee County Virginia:

The Petition of Reese D. Flanery Sheriff and
as such adm^r of the estate of Seander Skidmon died
would respectfully show unto your Honor; That one
Sarah Ely, has lately exhibited in this Honorable Court,
her bill in chancery against one William Pennington,
and the same is now pending in your Honor's Court;
the object of which is to enforce a judgment lien
against the real estate of said William Pennington;
by obtaining a decree for the sale thereof to satisfy the same.

Your petitioner states, that his intestate in his
lifetime obtained a judgment at law against the said
William Pennington which is wholly unpaid
and the same your petitioner is advised constitutes
a lien on any real estate owned by said Pennington

Your petitioner therefore states that he is inter-
ested in the subject of said suit, and in order to
show his rights in the premises He prays your
Honor to require the said Sarah Ely to so amend ^{her bill}
as to make your petitioner a defendant thereto. &
as in duty bound your petitioner will ever pray.

R. D. Flanery adm^r of
Seander Skidmon died.
by H. J. Morgan att^r

R. D. Flanery adm. r.

ad. { Petition

Mary Ely
vs

Wm. Cunningham

Filed March 26 1886

J. A. Hyatt & Co

To the Hon^{ble} A Kelly Judge of the Circuit Court of Lee County
Virginia.

The petition of Joseph Ely would respectfully shew
to your Honor, that Sarah Ely has recently exhibi-
ted in this honorable court, her Bill in Chancery
against one William Pennington, and the same
is now pending in your Honor's court, the object
of which is to enforce a judgment Lien against
the real estate of said William Pennington, by
obtaining a decree for the sale thereof to satisfy
the same -

Your Petitioner now states, that he obtained a judg-
ment at Law against the said William Pennington
which is wholly unpaid, and the same your Petitioner
is advised constitutes and constitutes a Lien on any and
all real Estate owned by said Pennington.

Your Petitioner states therefore that he is interested
in the subject of said suit, and for an opportunity
to show his rights in the premises he prays your
Honor to require the said Sarah Ely to do
answer her Bill as to make your Petitioner a
defendant thereto, & as in duty bound, your
petitioner will ever pray etc

Joseph Ely
By Morrison & Morgan Attys

Joseph Ely
vs 3 Petitioner

M D C

Sarah Ely

v.s.

William Parsonage

Filed March 26 '886
J. A. Stapp & Co

To the Hon John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

The Separate answer of R.D. Flannery Sheriff
and as such administrator of the estate of Leander
Shedden died to a Bill filed in this Honorable Court
against him and Others by Mrs. Sarah Ely.

Respondent says that he knows nothing about the
judgment at law in the Bill mentioned, but he
supposes it is set out correctly in his Bill

Respondent states however that his intestate in
his lifetime took on the 27th day of March 1885 obta-
ined a judgment ^{against said William Pennington} at law in your Honors Court for
\$150.00 with legal interest thereon from the 1st day
of Feb 1884 till paid and the costs amounting to \$8.02
subject to a credit of \$50.00 paid May 9 1884 and
a copy of said judgment is herewith filed marked
(A.B.) as a part of this answer. And subject to the
said credit the balance of said judgment is still
due and owing your respondent as admr. of said

Your Respondent now states that his said judgment
was rendered at the same term of your Honors Court
as that to enforce which the plaintiffs bill is filed
and this being true said two judgments are of equal
dignity And since respondents said judgment
like that of the plaintiffs operates as a lien in the tract
of land in the plaintiffs bill mentioned, Respondent
therefore joins in the prayer of the plaintiff to obtain
a sale of the said land and a ^{of the sale} equitable distribution
of the net proceeds thereof.

Respondent having now answered as fully as deemed
necessary he again joins in the petitioner's prayer

Henry J. Morgan for

Respondent.

L. D. F. Laney adw. re

ad. } answer

Sarah Ely.

Filed March 26th 1886.

J. A. Hyatt & Co.

To The Honorable Jno A. Kelly, Judge of the Circuit
Court of Lee County Virginia

The separate answer of Joseph W. Ely, to
a bill filed in this honorable court against him and
others by Mrs Sarah Ely.

Respondent says he knows nothing of the judgment
at law in the bill mentioned - but he responds, the
same is set out correctly in the Bill of the said
Plaintiff.

Respondent however states that he on the 24th day
of March 1883 - obtained a judgment at Law in
your honor court against the said William

Pennington, in the Plaintiffs Bill mentioned, for
\$250.⁰⁰ with legal interest thereon from the 24th
day of May 1884 till paid, and the costs amount-
ing to \$8.86. A copy of said judgment is here
with filed marked J.E. and asked to be read
as a part of this answer, all of which said
debt is still due and owing to this respondent.

Your Respondent further states that his ^{said} judg-
ment was rendered at the same term of
your honor court as that ~~of~~ favor of
the said Plaintiff, to enforce the payment of which
said debt and judgment, she filed her said Bill.

This being true the two judgments are of equal
dignity, and your Respondent's said judgment, as

as well as that of the said Plaintiff operates as
a lien on said tract of land, in the Bill mentioned.

Your Respondent therefore joins in the prayer
of ^{the} Plaintiff to obtain a sale of the said lands
and a Pro-rata share of the net proceed of the sales
thereof.

Respondent having no as fully answered as it is
deemed necessary, he again joins in the prayer
of said Plaintiff. Morrison & Morgan
for Respondent.

Joseph Ely ^{mem}
vs D Answer

Sarah Ely

vs

William Pennington

Filed March 26th

1886. J. A. G. Dyatt
c.c.

Sarah Ely

Plff

vs

Mr. Pennington

Def

} In Ely

This cause came on finally to be heard on the papers heretofore read therein, and the special report of Law. H. J. Morgan filed in the cause at the present term. Showing the execution of a deed of conveyance by him to D. S. Lutton for the 80 acre tract of land in the bill mentioned, and was argued by counsel. And said report being unaccepted to, On consideration of all which It is adjudged ordered and decreed that said report and deed, be and the same are hereby confirmed and said Lutton is ordered to pay said Morgan \$2.50 for the execution of said deed and the clerk of this will deliver said deed to the clerk of Lee County Court for recordation and no further action being necessary. The parties are hence dismissed and the cause stricken from the docket.

Search Ely

vs. { Drum N. 4 final

Wm. Pennington

Entered for ages 59²⁵60

C. D. Boase No. 3.

for Ab Hyatt &c!

Enter this
H. S. K. M.

Sept 1st 1887

Sarah Ely
vs.
Wm. Pennington

Peff.
Deft.

} In Equity

Pfff

Sept

San Diego

This cause came on further to be heard on the papers heretofore read in the cause, and the report of Comr. H. J. Morgan showing the sale of the 80 acre tract of Land in the bill mentioned to D. S. Litten at the price of \$100.00 and the disbursement of that sum in paying costs of suit and sale & in distribution among creditors; filed in the cause June 15 1887. and was argued by counsel. And said report being unexcepted to. On consideration of all which it is adjudged ordered and decreed that said report be approved & confirmed and pursuant to a suggestion thereof, said H. J. Morgan is appointed a Special Commissioner and he is directed to convey by proper deed to D. S. Litten the 80 acre tract of Land in the bill mentioned with covenants of Special Warranty the will report to the Court such a deed. and until the coming in thereof the cause is continued;

Sarah Ely . . . Off
 against
William Pennington ~~deft~~ } In Chy.

This Cause
Came on again to be heard this
day upon the papers formerly
read and the report of John
A. G. Hyatt filed July 8th 1886, to
which there are no exceptions: and
was argued by Counsel. On con-
sideration of which and for
reasons appearing to the Court
it is adjudged ordered & decreed that
said report be confirmed, and

H. J. Morgan — who is
hereby appointed a special com-
missioner therefor will proceed to
see said Cause or so much thereof
as may be necessary to pay the costs
reported on the same. He will
see the same on 6 or 12 credit
except so much as is necessary
to pay costs of suit & sale, he will
require paid in hand and for
the residue take bonds payable
to himself with good personal re-
curety. But before proceeding to
execute this decree he will give
bond as such Cause in a penalty of

Sarah Ely

23 Decree for

William Partridge

Aug 7 / 86

Entered page 5-99

Euler this

Aug. 26 / 86
Jm. H. H.

of five hundred dollars constitution
according to law - And their action -
tize the same for at least 30 days
on the front-door of the Court-House
& in the neighborhood where the
land lies setting out time terms
& place of sale, which will be
made at the front-door of the
Court-House on some Court-day
He will report his action to the
Court at some future time & the
Cause is continued.

* An account of Lino is necessary to be taken in order to ascertain the parties of any. It is therefore adjudged ordered and decreed that John A. G. Hyatt take and state in account of the claims against the debt Wm. Pennington which appears as Lino in the bill mentioned the account thereof, to return clear, and the priority of any & any other claimed payment, the will reflect his return to the court & the case is continued.

Sarah Ely

vs.

Wm. Pennington

Poff

Deft

In Chy.

On the Motion of R. D. Flannery admt. of Leander Skidmore decd. and Joseph Ely who each presented their petitions claiming to be interested in the subject matter of of the suit and each praying to be made a party defendant to the poff's bill, On consideration of the matters of said petitions It is adjudged ordered and decreed, that the plaintiff do amend her bill as to make R. D. Flannery admt. of Leander & said Joseph Ely defendants thereto which amendment was accordingly made and on their further Motion leave is granted them to file their separate answers and the same were accordingly filed, Then upon the cause came on to be heard on the bill of the plaintiff and exhibit thereunto taken for confessed by the deft Pennington, and the answers of said Flannery & Joseph Ely and exhibits thereunto, and was argued by counsel. On consideration of all which it appears to the court that ~~the~~ ^{the} ~~same~~ ^{same} judgment Lino against the deft Pennington of equal dignity and that the Poff is entitled ^{to have} to the Lino of her judgment at law enforced in equity. It is therefore adjudged ordered and decreed that the tract of land in the Poff's bill mentioned be sold on a Credit of 6 12 & 18 Months with interest from date except as to so much as will pay the costs of suit and sale which will be required to be paid in hand and the purchaser required

to give bond with approved security for the deferred
payments & said sale to be made after 30 days notice
of the time place & terms of sale and shall be on
some court day at the front door of the court to
the highest bidder at public auction, And
Genl A. L. Packman is appointed a Special Com.
to execute this decree who before doing so is required
to execute bond before the clerk of the court in the
penalty of \$500. with good security, with condition
to account for all money he may receive in the
cause, and he will report his action to the court
from time to time And the plaintiffs judgment
and that of the clerts R. D. Hamer admt. & Joseph Ely
being of equal dignity the net proceeds of the sale
of said land shall be divided ratably between said
three judgments in the event the sale thereof shall be
insufficient to pay all. And the cause is continued.

Sarah E. Ly

as } ^{account} Debit for Sal. 104 10/1.

Wm. Pennington ^{tel}

Entered Page 503

J. R. Gibson D. B.

Enter this
March 26 1886

J. A. K.

Commissioners Office Jamesville Va July 8th 1886
Sarah Ely Complainant

vs
Wm Pennington Defendant } In Chancery

To The Hon. John A. Kelly Judge of
The Circuit Court for Lee County.

By a decree rendered in the
above styled cause on the 26th March
1886, I was directed, "to take and
state an account of claims against
the deft. Wm Pennington, which operate as
liens on the land in the bill mentioned,
the amount thereof, to whom due and
their priority, if any," &c &c; and in
obedience thereto I herewith file a
statement of liens marked "L," which
shows a judgment lien in favor of the
Plaintiff Sarah Ely amounting
in the aggregate on the 1st September
1886. to the sum of \$306.05, a like
one in favor of Leander Skidmore
as of Sept. 1st 1886. amounting to \$124.68 and
a like one in favor of Joseph Ely, which
in the aggregate on Sept. 1st 1886 amounts
to the sum of \$292.86; these three
judgments make a total of \$723.57
as of Sept. 1st 1886; and they each
seem to be of equal priority, each
having been rendered on the 27th

day of March 1885, and docketed
in the Judgment lien docket
on the 2ⁿ day of April 1885, so
that each stand as liens on equal
footing against ^{Said} land.

Other liens appear to exist of
later date, one a deed of trust
executed by said Pennington & wife
to secure one A. R. Surgenor, in
the payment of certain amounts,
which is executed only a few days
after said Judgments operate as
liens, and other Judgments, which
Your Commissioners deem not
necessary to report, from the
fact that the three Judgments
reported will not be fully paid
by the sale of the land in the
bill mentioned, the land is
mountain land unimproved, and
a reasonable price therefor will
not pay more than 40% of the
3 prior Judgt. here reported, after
payment of costs of this suit Commission
and consequently this Statement
& report is not encumbered
with these other liens.

Respectfully submitted

J. A. Hyatt Comr

Sarah Ely
3 Cours Report
20 3 of Liens
Wm Pennington

Filed July 8th 1886
J. A. Hyatt

Cours Fee \$5.00

Sarah Ely

Peff

vs.

Wm. Pennington

Deft

} In Chancery.

To the Hon. H. S. H. Morrison Judge of the Circuit Court of Lee County Virginia;

Pursuant to a decree of your Honor entered in the above styled cause on the 26th day of Augt 1886, I proceeded at the front door of the Court House of Lee County on the 17th day of May 1887, that being County Court day, to offer for sale, on the terms prescribed by said Decree (and after due advertisement thereof) the 80 acre tract of land in the Peffs Bill mentioned, when D. S. Litten offered therefor the sum of \$100.00, and this was the only, and best price offered for the same, and hence he became the purchaser thereof at that price.

The land lies on the south side of the Stone Mountain and the price of \$100 - for 80 acres seems remarkably low, and is I think less than a fair price, and yet I think the sale ought to be confirmed, for the following reasons:

Prior to said day of sale, I had advertised said land for sale, two or three different times, and as often offered it for sale publicly, at the front door of the Court House of Lee County, on public Court days, and not until the 17th of May 1887 was I ever offered a single bid for the same, other than only the sum above named, and having offered it so often without getting a bid, I think the sale above referred, ought to be confirmed, although at a low price.

The cost of this suit amounts to \$23.76 and this Mr. Litten paid me in hand. and I have disbursed the same by paying it out to the parties shown in the tabular statement at the foot of this report, this leaves the sum of \$66.26 to be divided between the three judgment creditors in this suit, and when so divided in proportion to their claims, it gives to the Peff Surber Ely the sum of \$27.35 to Joseph Ely the sum of \$26.35 to R. D. Flannery admr. of Leander Skidmore and the sum of \$11.30 and for these three sums said D. S. Litten with M. F. Litten - - has ^{security} executed to me as Comr. their three several bonds, bearing interest from May 17 1887. & due and payable each in 6 & 12 Months time, and the parties interested being willing to accept these bonds in lieu of money, as credits on their their several judgments I have turned over to A. L. Pridemore attorney for the Peff Surber Ely said bond for \$27.35 to J. M. Morgan atty for Joseph Ely said bond for \$26.35 and to myself as atty for said Skidmore said bond for \$11.30 And this being done it seems to me said D. S. Litten is entitled to a deed of conveyance for said 80 acre tract of land.

Now this whole transaction is shown in the following tabular statement.

To Gross amount of sale of said 80 acres of Land.	\$100.00
By 5 per cent commission returned by me	\$ 5.00
1 By this sum paid A. L. Pridemore atty for	15.00
2 By this sum paid Hyatt clerks fee.	7.44
3 " " " " Sum Comr. fee	5.00
4 " " " " Gilson Co atty fee	.80
5 " " " " Flannery Shiff fee	.50
6 " " " " The Peff in his debt.	27.35
7 " " " " Joseph Ely in his debt	26.35
8 " " " " Leander Skidmore's estate	11.30
Bal in my hands for Working and	98.74
	1.26

From this it is seen that the whole purchase price
of the land is accounted for except the sum of \$1.26
and that I shall retain for making the deed to the
letter the purchaser of the land.

Respectfully Submitted

Henry J. Morgan Esq.

Seich Ely

as. { Cont. Report of Seich Ely
No 1

Wm. Pennington

Filed June 15 1887.

J. S. Hyatt & Co

all right
for the same

Sarah Ely
vs.
Wm. Pennington

Plff }
Def. } in lby

Received of H. J. Morgan Cash in the above styled
cause Seven dollars and 44 cents the fees due me as
clerk therein and five dollars as cont. fee in same
amounting to \$12.44. June 1st 1887.

J. A. Hyatt clk & Cour.

Recd. of H. J. Morgan as cont. in said cause fifteen
dollars the attorneys fee in said cause. June 1-1887.

A. L. Pridemore
att for Plff.

Recd of H. J. Morgan Cash in said cause fifty cents
the fee due sheriff therein. June 1-1887.

Recd of H. J. Morgan Cash in said cause eighty cents
the fee due me therein as clerk Co. Ct. June 1-1887.

John R. Gibson clk.

Recd of H. J. Morgan Cash in said cause D. S. Luttons note
for \$27.35 which is accepted as cash.
being the plffs distributive share of the proceeds
of the sale of the 80 acre tract of land. June 1-1887.

A. L. Pridemore

Recd of H. J. Morgan Cash in said cause, D. S. Lutton & co note
for \$26.30 which is accepted as cash. being Joseph Elys
distributive share of the sale of the land. June 1-1887.

Morrison & Morgan.

I have retained in my own hands as Cont. in said cause
D. S. Luttons note as cash for \$11.30 being the distributive share
due Leander Skidmore's estate, out of sale of the land.

June 1-1887.

Henry J. Morgan att for
said Skidmore's estate.

Sundry Persons

To { Receipts of 100.

H. J. Morgan Bank

No. 1, 2, 3, 4, 5, 6, 7, & 8.

50.

$$\begin{array}{r} 100.00 \\ 35.00 \\ \hline 65. \end{array}$$

Sarah Ely	306.05	_____	27.35
Skidmore	124.68	_____	11.20
			26.35
Joseph Ely	292.86	_____	
	723.59	:	306.05 : 65.
			65

$$\begin{array}{r} 153025 \\ 83630 \\ \hline 723.59 \overline{) 19893.25} \quad 27.30 \\ \underline{144718} \\ 542145 \\ \underline{516513} \\ 25632 \end{array}$$

$$\begin{array}{r} 124.68 \\ 65- \end{array}$$

$$\begin{array}{r} 62340 \\ 74808 \\ \hline 723.59 \overline{) 810420} \quad 11.20 \\ \underline{72359} \\ 86830 \\ \underline{72359} \\ 14471 \end{array}$$

36

36

36

40

1.48

Sarah Ely

vs.

William Pennington

Plff.

Def.

Deft.

To the Hon. St. S. H. Merison Judge of the
Circuit Court of Lee County Virginia:

As directed by your decree entered in the above
styled cause on the 30th day of Aug. 1887, the undersigned
commissioner begs leave to report that as directed thereby
he has made, signed, and acknowledged for record
a deed conveying to D. S. Litten the 80 acre tract of land
in the bill mentioned with covenants of of Special
warranty, and said deed is herewith submitted as a part
hereof marked (A.B.)

All which is respectfully submitted

Henry J. Morgan Special Commr.

Aug 31 1887

Sarah Ely

as $\frac{1}{2}$ Bur. Refut No. 2 of dead.

~~Mr. Pennington~~

Filed in open court Aug 31 1887

J. C. S. Hyatt

W. A. S.
1887

Date of Judgment	By what Court Rendered	Name and description and Residence of Parties Debt damages interest and costs
1885 March 2	Lee County Circuit Court	<div> <div> April 2 1885- </div> <div> Sarah Ely of Lee County Va. Plff. vs Wm. Permington of Lee Co & def. </div> <div> } In } Debt </div> </div>
		<p>Judgment for \$256.32 with interest thereon from the 1st day of January, 1884 till paid aw the Costs 6.497 & \$100 lev. C. #25A. #250</p> <p>Attest J. R. Gibson clerk.</p>

Sarah Ely

v { Judgement
Copy

William Permington

" A "

Virginia

At a circuit Court held for Lee County
March 27th 1885

Leander Skidmore

Complainant

vs

Wm Pennington

Defendant

In Debt

+ # # # Among other things it was
considered by the Court that the
Plaintiff recover against the Def^t
\$150.00 ~~the~~ part of the debt in the decl-
aration mentioned, with legal interest
thereon from the 1st day of February
1884, till paid and the costs, subject
to a credit of \$50.00 paid May 9th 1884.

4.77
8 50
A 2.50
C 25
\$8.02

Extracts from records in my office

J. A. Hyatt C. C.

The above Judgment was docketed on the
Lien Docket, Apr 2nd 1885.

John R. Gibson clk. Co. Court.

Lucas Skidmore

as { Copy of Judgt.

William Pennington

(AB)

Virginia

At a circuit Court held for Lee County
March 27th 1885-

Joseph Ely

Complainant

vs

William Pennington & others

Defendants

In Debt

And the defendant
William Pennington not appearing:- It is
considered by the court, that the
Judgment obtained in the Clerk's
office against him for \$250.⁰⁰ the
debt in the declaration mentioned
with legal interest thereon from the
24th day of May 1884, till the same
is paid and the costs be made
final. \$ 4.61 \$ 1.50 & 250 be \$ 25-

461
1.50
250
25
\$8.86

\$8.86.

A Copy

Lester J. Als Hyatt &c.

The above judgment was docketed on the
Judgment Lien Docket. Apl. 2nd 1885.

John R. Gibson clerk

Joseph Ely
3 Copy of
203 Judgment
Wm Drumington et al

(A. le)

List of liens against the real
Estate of William Pennington
dates &c.

Judgment in favor of
Sarah Ely, rendered
I March 27th 1885 for ---- \$256.32
A Interest from Jan 1st 1884 to Sept 1st 1886 41.01
Cost of suit at law, 872 \$306.05

Judgt in favor of Leander Skidmore
rendered March 27th 1886 \$150.00
A.B. I Interest from Feb 1st 1884 to May 9th 1884 2.47
\$152.47
len. May 9th 1884 50.00
\$102.47
Int, from May 9th 1884 to Sept 1st 1886. 14 19
Cost of suit at law 8.02 \$124.68

A.C. I Judgt in favor of Joseph Ely
rendered March 27th 1885 \$250.00
Int from May 24th 1884 to Sept 1st 1886 34.00
Costs of suit at Law 8.86 \$292.86
\$723.59

Sarah Ely
no $\frac{1}{3}$ List of liens,
Wm Demington

(L.)

This Deed made the 5 day of June in the year 1871 between Dickson S. Litton and Lavinia H. his wife of the county of Lee and State of Virginia. of the one part, and William Pennington of the county and State aforesaid of the other part, Witnesseth that for and in consideration of the sum of two thousand and five hundred dollars in hand paid the receipt whereof is hereby acknowledged, the said Dickson S. Litton and Lavinia H. his wife do grant, bargain and sell unto the said William Pennington a certain tract or parcel of land lying and being in the said county of Lee, on the North side of Powell River, and bounded as follows to wit:

Beginning at a locust & dogwood by a rock on the North bank of said River, corner to a tract deeded the same day by said Litton & wife to David L. Jesse & with lines thereof N 31 W 202 poles with a cross fence and dividing the same to a rock, thence S 59 W 35 poles with another fence to a rock, thence N 26 W 25 poles with another fence to a rock, thence S 64 W 85 poles to a large Spanish Oak, thence N 18 W 62 poles to a white oak. dogwood and sourwood on John Penningtons line & with lines thereof N 14 E 139 poles to a beech & white oak (white oak gone) N 36 E 33 poles to a pine, water oak & oak on the bank of said river. Thence down with the middle of said river as it meanders to the beginning.

containing 206 acres be the same more or less,
being part. of the 406 acre tract, deeded by
William P. Minter & wife to the said Dickson S.
Lutton and for and in consideration of the sum
of two hundred dollars in hand paid the re-
ceipt whereof is hereby acknowledged the
said Dickson S. Lutton & Lavinia H. his wife do
grant, bargain and sell unto the said William
Pennington, one other tract or parcel of land
lying and being in the said County of Lee,
on the north side of Powell's river and
bounded as follows to wit: Beginning
at a sourwood & maple (now gone) on
the north bank of said river thence up
the Stone mountain N 9 W 84 poles to
a stake in Carr Bailey's line & with
the same N 53 W 66 poles to a stake
corner to Joseph H. Olingers line, and
with lines thereof S 73 W 66 poles to two
red oaks, a beech and maple S 27 E
120 poles to a hickory and chestnuts,
(now gone) S 50 E 46 poles to a sourwood
and beech S 70 E 10 poles to a poplar, beech
& two sourwoods, on the north bank of
said river, thence up said river as it
meanders, 56 poles to the beginning
containing 80 acres be the same more
or less.. being the same tract of land

which was laid off to said Litton in
a divide with A. G. Bailey and Joshua
E. Hobbs which was purchased from
J. S. Slump's heirs, and the said Deakson
S. Litton & Lavinia H. his wife do covenant
with the said William Permington that
they will warrant generally the land
herely conveyed witness the following
signatures and seals).

D. S. Litton Seal
Lavinia ^{for} Litton Seal
mark

See bounty to wit B:

I, Daniel S. Reaser a Justice of
the Peace for Yorkum Station Township
in the county & in the State of Virginia,
do certify that Dickson S. Litton whose
name is signed to the writing hereto
annexed bearing date the 1st day of
June 1871, has acknowledged the same
before me in the Township & county
aforesaid, given under my hand
this June the 8th 1871.

D. S. Reaser J. P.

Wm Pennington

From Deed

A. S. Lott's wife

Deed Book ¹⁶ 314-15

for this copy 60

Date of Judgt	By what court rendered	Term of Court	Style of Suit	Judgment
Apr 21 st 1885-	Lee Co court.	Apr 28 th 1885-	Z. M. Cecil of Lee Co vs Wm Pennington of Lee Co	Judgment for \$105.00 with legal interest thereon from the 12 th day of Dec 1884. till paid and the costs \$1.69. Const 1.00 A 2.50

Attest
Teste John R. Gibson clerk.

of M. Beebe
vs. } copy of Judgment
Mr. Pennington

See for this copy 20¢

Know all men by these presents, that
we Henry J. Morgan and John A. G.
Hyatt are held and firmly bound
unto the Commonwealth of Virginia
in the just full sum of \$500.00 and
for the prompt payment thereof well
and truly to be made unto the said
Commonwealth, we each bind
ourselves heirs &c, and we as
to this bond waive our Home-
stead exemptions, witness our
hands & seals this Sept 20th/886.

The condition of the above
obligation is such that whereas
the above bound Henry J. Morgan
was appointed a Commissioner in
the Chancery Cause of Sarah Ely,
vs William Remington and directed
to make sale of certain lands menti-
oned in said bill. Now therefore
should the said Morgan faithfully
perform the duties assigned him
and justly account for all sums
of money he may receive in this
Cause then this obligation to be
void otherwise to remain in full
force & virtue.

Henry J. Morgan Seal
J. A. G. Hyatt Seal

Sarah Cly
us 3 Bond
William Pennington

Recd Sept 20/1886
J. A. G. Hyatt, cc

THE COMMONWEALTH OF VIRGINIA,

To The Sheriff Of Lee County Greeting :

We Command You to Summon

William Pennington

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

February

next being rule day to answer a bill in chancery exhibited in our said Court against

him

by

Sarah Ely

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

27th

day of

January

1886

, in the 10

year of the Commonwealth.

J. A. G. Hyatt

Clerk.

LD

Sarah. Ely
vs $\frac{1}{2}$ Spain Chcy
William Pennington

To Feby Rules 1886.

Executed by
delivering an
office copy of this
Spa, to William
Pennington
January 27-1886.

Zion Flannery
Deputy for R. D. Flannery
S. L. C.